

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JOHNNY BERNAL, on Behalf of Himself ]  
and Others Similarly Situated, ]

*Plaintiff,* ]

v. ]

VANKAR ENTERPRISES, INC. d/b/a, ]  
BABCOCK BAR, *et al.* ]

*Defendants.* ]  
\_\_\_\_\_ ]

Case No. SA-07-CA-0695-XR

**PLAINTIFF'S JUNE 16, 2008 NOTICE OF FILING CONSENT**

Pursuant to 29 U.S.C. § 216(b), the following individual hereby submits a written  
Notice of Consent:

1. Lynn Avery.

Respectfully submitted,

**BRUCKNER BURCH PLLC**

**/S/ Richard J. Burch**

By: \_\_\_\_\_

Richard J. (Rex) Burch  
S.D. Tex. No. 21615  
State Bar No. 24001807  
1415 Louisiana St., Suite 2125  
Houston, Texas 77002  
Telephone: (713) 877-8788  
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**AND**

**DEBES LAW FIRM**

Robert R. Debes, Jr.

State Bar No. 05626150

Federal ID No. 12308

17 South Briar Hollow Lane,  
Suite 302

Houston, Texas 77027

Telephone: (713) 623-0900

Facsimile: (713) 623-0951

**CERTIFICATE OF CONFERENCE**

This filing does not seek an order from, nor require any action by, the Court. Accordingly, no certificate of conference is required.

**/S/ Richard J. Burch**

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Richard J. Burch

**CERTIFICATE OF SERVICE**

A copy of Plaintiff's June 16, 2008 Notice of Filing Consent was served on all parties via the Court's electronic filing system.

**/S/ Richard J. Burch**

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Richard J. Burch

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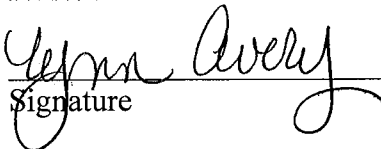
*Defendants.* ]

**NOTICE OF CONSENT**

I consent to be a party plaintiff in a suit to recover unpaid wages under the Fair Labor Standards Act (FLSA). To the fullest extent allowed by law, I designate the named plaintiff, Johnny Bernal (the "Representative Plaintiff"), to make decisions on my behalf concerning the litigation, including the method and manner of conducting this litigation, entering into settlement agreements, and all other matters pertaining to this lawsuit. I will be bound by the decisions made by the Representative Plaintiff. I agree to be bound by the contingent fee contract signed by the Representative Plaintiff and the lawyers representing the workers in this case.

LYNN AVERY

Printed Name

  
Signature